

Serial No. 09/604,001

HÖSSEL et al.

PF 0000050105

The requirement for the presence of from 0.01 to 10% by weight of at least one monomer which acts as crosslinker and has at least two ethylenically unsaturated, nonconjugated double bonds, is an integral part of the subject matter defined in applicants' Claims 2 to 14 and is incorporated therein either by reference to Claim 1 or specifically recited, and the same applies to the subject matter of applicants' new Claim 15. The subject matter of applicants' Claims 2 to 15 is therefore equally not rendered unpatentable under Section 103(a) by the teachings of *Tropsch et al.* and *Kumar et al.*¹⁶⁾. It is therefore respectfully requested that the rejection under 35 U.S.C. §103(a) and the obviousness-type double patenting rejection¹⁷⁾ be withdrawn.

REQUEST FOR EXTENSION OF TIME:

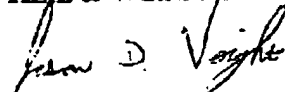
It is respectfully requested that a two month extension of time be granted in this case. A check for the \$420.00 fee is attached.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 11.0345. Please credit any excess fees to such deposit account.

*Fees
Processed*

Respectfully submitted,

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Encl.: THE LISTING OF CLAIMS (Appendix I)
THE CURRENT CLAIMS (Appendix II)

HBK/BAS

- 16) If an independent claim is non-obvious under 35 U.S.C. §103, then any claim depending therefrom is non-obvious (*In re Finn*, 837 F.2d 1071, 5 USPQ2d 1596 (CAFC 1988)).
- 17) The analysis concerning "obviousness-type double patenting" essentially parallels the determination of (non)obviousness under Section 103 (*In re Longi*, 759 F.2d 887, 892, 225 USPQ 645, 648 (CAFC 1985); *In re Blauwe*, 736 F.2d 699, 222 USPQ 191 (CAFC 1984)).

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